

2008 May 23 PM 10:23

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

2008 May 23 PM 10:23

UNITED STATES OF AMERICA

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v.

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CRIMINAL ACTION NO. H-02-714-6

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DIEGO ALBERTO RUIZ ARROYAVE,
aka Diego Arroyave Ruiz,
aka El Primo

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ORDER OF DETENTION PENDING TRIAL

BOTLEY, Magistrate Judge:

The defendant, Diego Alberto Ruiz Arroyave, is charged by a superceding indictment with conspiracy to provide material support and resources to a foreign terrorist organization in violation of 18 U.S.C. §2339B.

The United States moved for detention of Mr. Ruiz-Arroyave because they believed that he was a flight risk and posed a danger to society. On oral motion of Ruiz-Arroyave's counsel, the court granted defendant's request for a waiver of the detention proceedings. The Court, therefore, finds from the preponderance of the evidence of the information contained in the file, that Ruiz-Arroyave is a flight risk.

Ruiz-Arroyave is a citizen and national of the Republic of Columbia and is illegally in the United States, without legal status to reside in or to be employed in the United States.

States for prosecution. Ruiz-Arroyave is a member of the terrorist organization “United Self-Defense Forces of Columbia,” also known as the “Autodefensas Unidas de Colombia” (AUC) or as it’s commonly referred, “the paramilitaries.” Ruiz-Arroyave assisted the AUC by knowingly providing or attempting to provide material combat support and resources. Ruiz-Arroyave helped coordinate the exchange of Warsaw pact weapons such as LMG and SMG machine guns, Chinese communist assault rifles (AK-47's), Russian designed assault rifles (AK-74's), Russian designed rocket propelled grenade launchers (RPG-7's and RPG-18's), and Russian designed, shoulder fired, surface to air missile systems (Strella SA-7's and Strella SA-16's) to a Federal Bureau of Investigation confidential informant who portrayed himself to be a member of a Russian criminal organization. Ruiz-Arroyave also facilitated the payment logistics and delivery of the aforementioned weapons.

For these reasons, the Court finds, pursuant to subsection (f)(2)(A), that Ruiz-Arroyave is a flight risk, and his detention pending trial is warranted. Accordingly, it is

ORDERED that Diego Alberto Ruiz Arroyave shall be detained pending trial and committed to the custody of the Attorney General for confinement in a correctional facility, separate, to the extent practicable, from persons serving sentences, or being held in custody pending the outcome of an appeal. He shall be afforded reasonable opportunity for private consultation with counsel. On order of a court of the United States, the person in charge of the correctional facility in which he is confined shall deliver him to the United States Marshal for an appearance in a court proceeding.

The Clerk shall file this Order and direct copies to counsel for the United States and defendant, the United States Marshal, and the United States Pretrial Services Agency.

SIGNED at Houston, Texas, this the 23rd day of May, 2008.



CALVIN BOTLEY
United States Magistrate Judge